

MINUTES

October 16, 2007

The State Board of Registration for Professional Engineers and Land Surveyors met on October 16, 2007, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

Doris I. Willmer, PE, Chairperson
Elmo A. Richardson, Jr., PE/LS, Vice-Chairman (joined meeting at 2:30 pm)
Mark E. Chastain, LS (left meeting at 12:00 pm)
Guy F. Ritter, PE
E. Charles Vickery, PE
James W. Butler, LS
E. Scott Evans, Public Member

BOARD MEMBERS ABSENT:

William W. Dean, PE
Stephen R. Richards, PE

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Application Specialist/Board Secretary
Vivian Stephens – Application Specialist
Sonya Williams – Attorney, Legal Services
Meredith Kendall – Attorney, Legal Services
Rod Russell, Investigator
Jackie Turner, Chief Investigator

ATTORNEY GENERAL REPRESENTATIVE:

Amelia Baker, Senior Assistant Attorney General

GUESTS PRESENT:

Franklin Toole, LS, former Board member, representing Surveying and Mapping Society of Georgia (SAMSOG)
Carey Treadwell, LS, representing SAMSOG
Hardwick Butler, representing SAMSOG
Betty Jean Jordan, PE, representing Georgia Society of Professional Engineers (GSPE)

Call to order:

At 9:30 am, Chairperson Willmer called the meeting to order and asked for any additions or deletions to the proposed agenda. Ms. Willmer suggested to move one item, Board Policy 04-05 to the next meeting, and to add an item to Old Business entitled, "Board of Registration Coalition Letter of Request for Metrics." Mr. Chastain moved to adopt the agenda as amended. Mr. Vickery seconded. Motion carried.

Approval of Minutes:

Chairperson Willmer presented a draft of the August 14, 2007 minutes and asked for any additions or deletions. Mr. Vickery moved to adopt the minutes as presented. Mr. Ritter seconded. Motion carried.

New Business:**Outsourcing:**

Mr. Ritter discussed Outsourcing in regards to engineering designs and drawings being done off-shore and shipped to a Professional Engineer to seal it, without the daily supervision of the Professional Engineer. After general discussion, Chairman directed Mr. Mickler to contact the Southern Zone states to compile their rules regarding this issue, aggregate and e-mail a report to all the Board members before the next meeting.

Old Business:**Board of Registration Coalition Letter of Request for Metrics:**

Mr. Mickler presented a letter of request from Bill Jorden, Chairman of the Board of Registration Coalition. The Coalition has requested monthly statistical data of complaints, exam applications and comity applications. Mr. Mickler will correspond with Mr. Jorden to determine what the Board will be able to report.

Executive Session:

At 10:45 am Mr. Ritter moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Vickery seconded. Motion carried.

The following Board members were present during Executive Session – Chairperson Willmer, Mr. Chastain, Mr. Evans, Mr. Butler, Mr. Vickery and Mr. Ritter.

Reconvened Open Session at 2:30 pm with the following Board members present – Chairperson Willmer, Mr. Richardson, Mr. Evans, Mr. Butler, Mr. Vickery and Mr. Ritter.

Investigations and Complaints:

Mr. Vickery moved to accept the recommendations made during Executive Session for the following investigative cases:

Accept a signed Consent Order from Harden Leroy Lark, PE016661 with a fine of \$500 and public reprimand for practicing engineering on an expired license.

Accept a signed Voluntary Cease and Desist Order from Frans Van Leenwens, d/b/a Focus Development & Engineering, Inc. for unlicensed practice of land surveying.

Accept a signed Voluntary Cease and Desist Order from Christopher Joel Settles, d/b/a Focus Development & Engineering, Inc. for unlicensed practice of land surveying.

Accept a signed Voluntary Cease and Desist Order from Timothy D. Ingram, President of Ingram & Associates for unlicensed practice of professional engineering by a firm.

Accept a signed Voluntary Cease and Desist Order from Musharaf Ahmad Farooqi, President of ISF Construction for unlicensed practice of professional engineering by a firm.

Accept a signed Voluntary Cease and Desist Order from Kenneth Nutt, president of Ashford Engineering for unlicensed practice of land surveying.

Accept a signed Voluntary Cease and Desist Order from Harvey Richard Barfield for unlicensed practice of professional engineering.

Accept a signed Voluntary Cease and Desist Order from Bobby Heron for unlicensed practice of land surveying.

PELS050122 - Sonya Williams presented a letter from a respondent indicating that the time frame mentioned in the Consent Order was in error. Mr. Ritter recommended correcting the time frame and continue to pursue the Consent Order.

PELS050118 – This case involved a Professional Engineer with allegations of unprofessional conduct while conducting a Phase II Environmental Site Assessment survey on a property. Recommendation is to issue a Consent Order to the individual Professional Engineer with a public reprimand, \$500 fine and two years probation. The respondent's firm will also be fined \$500 for not having a Certificate of Authorization when the violation occurred. This case will be referred to the Geology Board and the State Bar of Georgia.

PELS050111 – This case involved an engineering firm with a qualifying Professional Engineer who does not live near the firm. Recommendation is to issue a Consent Order with \$500 fine for practicing without a Certificate of Authorization during a certain period of time.

PELS0110112 – This case involved substandard practice of land surveying. Recommendation is to close the case.

PELS070031 – This case involved unlicensed practice of professional engineering. Recommendation is to close the case.

PELS050124 – This case involved unlicensed practice as a Professional Engineer and Engineering firm. Recommendation is to issue a Voluntary Cease and Desist Order for unlicensed practice of engineering.

PELS060008 – This case involved a property line dispute. Recommendation is to close case as a civil matter.

PELS060080 – This case involved a civil matter regarding payment for land surveying. Recommendation is to close case.

PELS070002 – This case involved allegations of substandard practice of land surveying. Recommendation is to close case as a civil matter.

PELS070057 – This case involved unlicensed practice of land surveying. Recommendation is to close the case because the respondent cannot be found.

PELS070030 – This case involved unlicensed practice of professional engineering. Recommendation is a private Letter of Concern to the qualifying agent of the firm to abide with Board Rule 180-6-.03.

PELS070022 – This case involved allegations of substandard practice of professional engineering. Recommendation to close the case with no violations found.

PELS070025 – This case involved allegations of unlicensed practice of professional engineering. Recommendation to close the case with no violations found.

Mr. Ritter seconded. Motion carried.

At 3:00 pm Mr. Ritter moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Vickery seconded. Motion carried.

The following Board members were present during Executive Session – Chairperson Willmer, Mr. Evans, Mr. Butler, Mr. Vickery and Mr. Ritter. Mr. Richardson was recused from the Executive Session.

Reconvened Open Session at 3:20 pm with the following Board members present – Chairperson Willmer, Mr. Richardson, Mr. Evans, Mr. Butler, Mr. Vickery and Mr. Ritter.

PELS080003 – This case involved allegations of unprofessional conduct of a Professional Engineer. Mr. Vickery moved to issue a private Letter of Concern. Mr. Ritter seconded. Motion carried. Mr. Richardson was recused from and not present for the vote on this issue.

Reinstatements:

Mr. Ritter moved to deny the reinstatement of the license of Gilela Reddy, PE009122. Mr. Richardson seconded. Motion carried.

Mr. Richardson moved to reinstate the license of John Bosco, PE015742. Mr. Evans seconded. Motion carried.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

32391 Allgair, Kenneth R.	32392 McGinnis, Daniel W.	32393 Richardson, Kenneth W.
32394 Wegener, Robert J.	32395 Yaffee, Russell T.	32396 Burgess, Gary B.
32397 Butler, Peter J.	32398 Kennelly, Lindsey E	32401 Keeling, Jay R.
32402 Vonasek, John S.	32403 Virgilio, Paul G.	32404 Blalock, Dolan Flay
32405 Carman, Kelly S.	32406 DeAngelis, Jeffrey A.	32407 DeVries, Tracey L.
32408 Giovannone, Angela C.	32409 Hays, William B.	32410 Hodson, John E.
32411 Rehor, Michael W.	32412 Schaub, F. Leo	32413 Schurian, Tamara D.
32414 Tedstone, Michael J.	32415 Trimble, Ray E.	32416 Champlin, James D.
32417 Damron, Dyan C.	32418 Dreyer, Robert F. Jr.	32419 Hendricks, Bart F.
32420 Sawant, Rahul R.	32421 Arnette, Jessica L.	32422 Jabbar, Afsahen A.
32423 Goolesby, Jeffrey P.	32424 Mercurio, Dorrie A.	32425 Alvine, Douglas R.
32426 Abolhassani, Ali	32427 Arendt, Henry	32428 Bailey, Philip David
32429 Bigbie, Mark N.	32430 California, James M.	32431 Damiano, Mark S.
32432 Fisher, Thomas H.	32433 Flynn, Sean K.	32434 George, John A.
32435 Graf, Peter W.	32436 Headla, Larry T.	32437 Hessler, Richard A.
32438 Kaufman, Stephen C.	32439 Lawton, Eric B.	32440 Messer, Jerald A.
32441 Nunez, Edgar	32442 Piehl, Jeffrey A.	32443 SanJuan, J George
32444 Thelen, Richard L.	32445 Woodruff, James M.	32446 Bradford, Nicholas M.
32447 Baldocchi, Richard V.	32448 Carter, Ronald A.	32449 Chapman, Joshua W.
32450 Clegg, Richard L.	32451 Cornelius, Jeffrey K.	32452 Cotton, Blake E.
32453 Druste, Edward X.	32454 Evans, David B.	32455 Hagon, James L.
32456 Halley, James M.	32457 Heilbron, Ronald S.	32458 Hennessey, Brian J.
32459 Hise, James C. III	32460 Holmes, Julie W.	32461 Horvath, Atilla B.
32462 Huckaba, Dennis A. II	32463 Hunt, Glen I III	32464 Kougan, Dimitri G.
32465 Lee, Jason Max	32466 Mariner, Algia R. Jr.	32467 Redding, Stephen M.
32468 Stewart, Michael C.	32469 Vega, Javier I.	32470 Voelkerding, Scott J.

32471 Zhao, Keyue K.
32474 Gillespie, William A.
32477 Roberson-Ramos, Nyika L.
32480 Zhou, Shenxiong
32483 Morgan, Charles G.
32486 Ketchum, Brian S.

32472 Deeb, Charles K.
32475 Grenoble, Bruce A. Jr.
32478 Sharman, Matthew J.
32481 Beam, Charles P.
32484 Cartwright, David W.
32487 Parkes, James E.

32473 Gillen, Glenn P.
32476 Huntsberger, Carl K.
32479 Welsh, Amanda J.
32482 Egosi, Nathiel G.
32485 Graham, Randall R.

Motion was made by Mr. Richardson to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Evans. The motion carried.

Board Memo Applications for Regular Applicants Seeking Certification as an Engineer-In-Training by Exam:

Applicants for certification as Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Ewing, David W. T.
Kinali, Kursat
McKendry, Jon Thomas
Ting, Shawn

Foster, Earl James Nathaniel
Mawia, Tahiru M. J.
Paine, Joel William

George, Charles Elliott III
McFeaters, Charles Alexander
Richardson, Brandon Scott

Motion was made by Mr. Evans to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Vickery. The motion carried.

Notice of Borrower Default on Student Loan:

Mr. Ritter moved to suspend Dana P. Hornkohl's license as a Professional Engineer, License Number PE029811, for failure to repay a student loan, and further move that this suspension will cease upon receipt by the Division Director of a "Notice of Release" from the Georgia Higher Education Assistance Corporation. Mr. Evans seconded. Motion carried.

Release of Investigative Materials to Enforcement Agency:

Mr. Richardson moved to release the investigative file of PELS060058 to the Environmental Protection Agency and refer the case to the Water/Waste Water Board.

Signing of Consent Orders by Director:

Mr. Richardson moved to allow the Executive Director to sign a Consent Order if the Board votes to accept one during a teleconference meeting. Mr. Vickery seconded. Motion carried.

Board Meeting Dates:

The Board added Board meeting date of December 11 to the regular meeting schedule.

There being no further business, at 3:37 pm, Mr. Butler moved to adjourn. Mr. Ritter seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Executive Director

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These minutes were approved at the November 13, 2007 meeting.